

**From:** Bowman, Randal  
**To:** [Downey Magallanes](#)  
**Subject:** Papahānaumokuākea background paper  
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**Attachments:** [FINAL-signed-PMNM-MOA-1-10-17.pdf](#)  
[Papahānaumokuākea Marine National Monument background.docx](#)

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This is attached, along with a copy of the Monument Management Agreement between DOI, DOC and the State of Hawaii.

## Papahānaumokuākea Marine National Monument background

Papahānaumokuākea Marine National Monument is the largest contiguous fully protected conservation area under the U.S. flag, and one of the largest marine conservation areas in the world, encompassing 582,578 square miles. All of the islands within the Monument are National Wildlife Refuges, except Kure Atoll, which is a State wildlife conservation area. Midway Atoll NWR has a 12-mile territorial sea, while the other refuge boundaries likely end at the mean low tide line on their outer reefs. Waters from there out to 3 miles are likely under State of Hawaii jurisdiction (boundaries have never been formally determined).

The Northwestern Hawaiian Islands Marine National Monument was established by Presidential Proclamation in June 2006. It was subsequently given the Hawaiian name Papahānaumokuākea. Prior to the Monument designation, NOAA had undertaken a 5-year public process aimed at designating the area as a National Marine Sanctuary. This effort included over 50,000 public comments, mostly supportive, and official support by the Governor and the State Legislature. With this extensive public and State support, President Bush decided not to make a formal proposal for establishment of the Sanctuary, but rather to take immediate protective action by designating the area as a National Monument.

As noted above, State lands and waters are within the outer boundary of the Monument. The Secretaries of Commerce and the Interior, and the Governor of Hawaii, have signed a Monument Management agreement for joint management of the entire monument. A copy of the agreement, revised in January 2017 to add the Office of Hawaiian Affairs, an independent State agency, as a party to management of the Monument, is attached.

Restrictions on commercial fishing in the Monument area began in 1980, with the Western Pacific Fishery Management Council prohibiting long-line fishing within 50 nautical miles of the NW Hawaiian Islands in 1991. The September 23 DOC email suggesting reopening commercial fishing in the expansion area only additionally notes:

*“... the commercial fishing prohibition in the original designation resulted after a five-year public process that had substantial involvement by the fishery management council and the public. The designation addressed the bottom fish and lobster fisheries, which were phased out and closed, respectively, and ultimately there was a buyout of the permit holders for those fisheries. In addition, the original monument area overlays an underlying Coral Reef Ecosystem Reserve designation, the objectives of which would be adversely affected by a removal of the prohibition.”*

The fishing restrictions in the establishing Proclamation were taken directly from NOAA’s proposed Sanctuary regulations, which presumably were the results of the 5-year process referenced by DOC.